

# **EXHIBIT**

**28**

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE,  
INC., *et al.*,

Plaintiffs,

v.

CITY OF MYRTLE BEACH, *et al.*,

Defendants.

Civil Action No. 4:18-cv-00554-DCC

DECLARATION OF JOYCE FRINK

I, Joyce Frink, hereby state as follows:

1. I am over the age of eighteen and am competent to make this Declaration. I have personal knowledge of the matters set forth herein.
2. I am African American and an individual with disabilities. I live in Myrtle Beach, South Carolina.
3. I live in a condominium at 2710 S. Ocean Boulevard next to El Dorado Hotel.
4. I have a number of medical conditions that make it imperative for me to have access to emergency medical assistance. I have Type 2 diabetes as well as nerve damage in my legs, which makes it difficult for me to walk long distances if the traffic is shut down.
5. As a resident of Myrtle Beach, I see many crowded weekends on Ocean Boulevard, but the traffic restrictions and police presence during Black Bike Weekend are by far the most extreme, and have kept me from accessing the medical attention I need.
6. In 2015 a few minutes before 10pm, I left my friend's home on 17th Avenue S to drive towards my home at 28th Avenue S. I got stuck in the one-way traffic loop that the City

had imposed for Black Bike Week. I tried to go around the one-way southbound traffic on Ocean Boulevard, but when I drove to the end of Harrison, I reached another redirect and was forced to turn into the traffic loop. At the barricade, I asked an officer how to get around the traffic to get back to my home on Ocean Boulevard. The officer told me to go through the parking lot and to get on the main street going east towards Myrtle Beach, which was the wrong way and sent me into the heavy traffic.

7. I have bladder cancer, and have had bladder surgery, which means that I need to urinate frequently, every 30 minutes. I also have diabetes and did not have my insulin with me when I was stuck in the traffic loop. I became afraid that I would not make it back to my home quickly enough because of the loop.

8. After being misdirected, I asked another officer how I was supposed to get home. He told me to keep traveling east so I had no choice but to continue driving. Eventually, I ended up in Carolina Forest and turned onto 48th Avenue N and 21st Avenue N. I stopped to ask an officer for help and explained the urgency of my health condition, but he dismissed my concern and told me to turn around and drive back onto 29th Avenue N. The traffic was so congested that I remained in that spot for over an hour. At that point, I had been stuck in traffic for two and a half hours, even though I had been less than half a mile from home when the officers forced me into the loop.

9. After being stuck in traffic for two and a half hours, I reached the intersection of Oak St. and 29th Avenue N. My vision began to get blurry from my low blood sugar. At 12:30am I checked my blood sugar level in the car, and it was at 297, which was high. I knew I needed insulin, but I still could not get home because of the traffic.

10. I used my OnStar emergency button, and the responder called an ambulance for help. Because of the traffic caused by the loop, it took the ambulance approximately 45 minutes to arrive and the OnStar responder had to call the ambulance three times to make sure it was still on its way. The responder stayed on the line with me until the ambulance arrived. Because of my bladder condition, I urinated on myself three times while I waited on the side of the road for the ambulance.

11. When the ambulance arrived, the EMTs put me on a stretcher, checked my blood pressure, and took me to the hospital. I was also experiencing intense bladder pain. The doctor gave me insulin and fluid through an IV and a blood pressure pill. They told me that my symptoms were so severe that I could have died. The doctors and nurses told me they didn't understand why the traffic loop was in place. I left the emergency room at 4:30am that night. The experience was painful and traumatizing.

12. The 23-mile, one-way traffic loop the City set in place for Black Bike Week not only kept me from getting to my home for three hours, but also increased the time it took for the ambulance to reach me when I needed help. I can't understand why a city would put a traffic plan in place that endangers people with medical emergencies.

13. In 2016, when Myrtle Beach set up all the barricades and one-way streets for Black Bike Week, they blocked off the parking lot at my building from the street so that motorcycle riders could not get in. Instead of feeling safer, I had a panic attack looking out from my condo. It made me feel incarcerated to not be able to drive out of my parking lot.

14. In 2017, on the Friday afternoon of Black Bike Week, the City had already put up barricades around my condo's parking lot. I had a doctor's appointment I needed to drive to, but the officers at the barricades would not let me through. I had to show my driver's license and ask

two different officers to let me drive through before they let me leave my own parking lot. One of the officers was Captain Crosby. The situation was so stressful that I was in tears.

15. After my experience with the loop, I sent a complaint to the NAACP describing everything that had happened to me in 2015. I hope that this lawsuit can bring about change for the residents of Myrtle Beach during Black Bike Week.

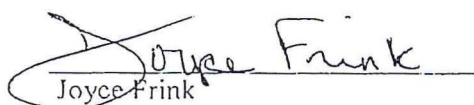
16. I have reached out to the City of Myrtle Beach a number of times about my experiences during Black Bike Week. In 2015, I met Mr. Pederson in his office to tell him my story and explain the dangers of the traffic loop. He said he would follow-up with the Chief of Police and get back to me. Eventually he emailed me to say there was nothing he could do to help me. I feel like the City has let me down by continuing to implement a prejudiced traffic plan that also injures residents of the City.

17. There are many other weekends at Myrtle Beach where crowds fill the streets, and the City does not feel a need to put up so many barriers and one-way streets. For the Carolina Country Music Festival or the car show that happened a few weeks ago, tourists were spinning their tires and revving their engines down Ocean Boulevard, but I didn't see extra police or a 23-mile loop. The City's traffic plan and police presence during Black Bike Week make me feel like a trapped animal who can't get out in emergencies and can't get back home to my medicine. The traffic plan put my life at risk in 2015, and I dread the restrictions Myrtle Beach will put in place for Black Bike Week 2018.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED WITHIN THE UNITED STATES ON: April 9, 2018.

BY:

  
Joyce Frink